

Part 2: Identify the subject of this appeal

1. Describe the judgment—or the appealable order or decree—from which the appeal is taken:

Plaintiff Geneva Life Care Center, LLC appeals from the Bankruptcy Court's October 16, 2024 Order denying Plaintiff's Motion for Summary Judgment and granting Defendants' Motion for Summary Judgment on Count IX of Plaintiff's Second Amended Complaint for piercing the corporate veils of the Debtors. The Bankruptcy Court stated that this Count IX was the only "core proceeding" remaining among the claims in this adversary proceeding. Accordingly, the Bankruptcy Court's order granting judgment to Defendants on this count definitively disposes of a "discrete dispute" within the overarching bankruptcy case and constitutes a final appealable order. 28 U.S.C. § 158(a); *Ritzen Group, Inc. v. Jackson Masonry, LLC*, 589 U.S. 35, 140 S.Ct. 582, 205 L.Ed.2d 419 (2020).

2. State the date on which the judgment—or the appealable order or decree—was entered:

October 16, 2024

Part 3: Identify the other parties to the appeal

List the names of all parties to the judgment—or the appealable order or decree—from which the appeal is taken and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

1. Party: Geneva Village Retirement Community, Ltd	Attorney: James W. Ehrman and Robert M. Stefancin Whitmer & Ehrman, LLC 2344 Canal Rd, Suite 401 Cleveland, OH 44114
2. Party: Geneva Village Retirement Community, LLC	Attorney: James W. Ehrman and Robert M. Stefancin Whitmer & Ehrman, LLC 2344 Canal Rd, Suite 401 Cleveland, OH 44114
3. Party: VRC, Inc. d/b/a VRC Management, Inc.	Attorney: James W. Ehrman and Robert M. Stefancin Whitmer & Ehrman, LLC 2344 Canal Rd, Suite 401 Cleveland, OH 44114
4. Party: Michael J. Francus	Attorney: James W. Ehrman and Robert M. Stefancin Whitmer & Ehrman, LLC 2344 Canal Rd, Suite 401 Cleveland, OH 44114
5. Party: Chapter 7 Trustee Julie Zurn	Attorney: Marc Merklin Brouse McDowell 388 South Main Street, Ste 500 Akron, OH 44311

Part 4: Optional election to have appeal heard by District Court (applicable only in certain districts)

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

☒ Appellant(s) elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

Part 5: Sign below

/s/ Joseph F. Petros III (OH 0088363)

Date: October 25, 2024

Signature of attorney for appellant(s) (or appellant(s) if not represented by an attorney)

Name, address, and telephone number of attorney (or appellant(s) if not represented by an attorney):

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Attorneys for Plaintiff Genva Life Care Center, LLC

Fee waiver notice: If appellant is a child support creditor or its representative and appellant has filed the form specified in § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.

[Note to inmate filers: If you are an inmate filer in an institution and you seek the timing benefit of Fed. R. Bankr. P. 8002(c)(1), complete Director's Form 4170 (Declaration of Inmate Filing) and file that declaration along with the Notice of Appeal.]

CERTIFICATE OF SERVICE

I hereby certify that on October 25, 2024, a true and correct copy of the foregoing document was served through the Court's CM/ECF system to all ECF participants registered in this case at the email address registered with the Court and listed below:

Maria Carr on behalf of Creditor Geneva Life Care Center, LLC
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Maria Carr on behalf of Plaintiff Geneva Life Care Center, LLC
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Michael J. Kaczka on behalf of Geneva Life Care Center LLC
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/s/ Joseph F. Petros III
Joseph F. Petros III (OH 0088363)